

S/N 09/557999



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mickos, et al. Examiner: Unknown
Serial No.: 09/557999 Group Art Unit: 2749
Filed: 4/24/00 Docket No.: 930.307US01
Title: A COMMUNICATIONS SYSTEM

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.6

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on 31 October 2000.

Michael B. Lasky

Name

Signature

PETITION TO CORRECT STATUS OF APPLICATION FROM INFORMAL TO FORMAL

Group Art Unit 2749
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicant's attorney of record has received a Notice of Informal Application for the above-referenced application. The notice indicates that an Abstract is missing from the filing papers of the application, and that the application will be considered informal until an Abstract is provided. Applicant respectfully states that under 37 C.F.R. 1.51 (b) an abstract is not required for a complete application and requests that the status of this application be corrected from informal to formal. Applicant believes the Notice was issued in error and requests that it be formally corrected. The details follow.

DISCUSSION

On April 24, 2000, Applicant's attorney filed the above-referenced application under 37 C.F.R. §1.10. On August 22, 2000, Applicant's attorney filed a signed

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Declaration and Power of Attorney, and a check in the amount of \$820.00 in response to the Notice to File Missing Parts. Applicant also filed a Preliminary Amendment and a Request for a Corrected Filing Receipt.

On 4 October 2000, the Office issued a Notice of Informal Application indicating that an abstract was missing from the application. The notice stated that the period to correct the informalities was set forth in an accompanying action. Applicant respectfully states that no accompanying action was attached.

On 26 October 2000, Applicant's attorney called Group 2700 and was directed to the Supervising Examiner, Dan Hunter. Because of a message on Mr. Hunter's machine stating he would be out several weeks, Applicant's attorney called Reinhard Eisenzopf. The Examiner stated that the PALM system at PTO states that as of 3 October 2000 the application was complete. Mr. Eisenzopf stated that if an abstract is the only item missing from the application, the Examiner should ask for it in the first Office Action. Mr. Eisenzopf told Applicant's attorney that the PALM system at the PTO indicates the current status of the file at the PTO, and the PALM system indicates that this application is complete.

Pursuant to 37 C.F.R. 1.51(b) Applicant believes that an Abstract is not required for a complete application. Applicant respectfully requests that formal correction of the Notice of Informal Application be made.

REMARKS

For the above stated reasons, Applicant respectfully requests that the Notice of Informal Application be formally corrected.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicant's attorney of record, Michael B. Lasky at 952-912-0527.

Respectfully submitted,

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(952) 912-0527

Dated: 31 October 2000

Michael B. Lasky
Atty. Reg. Number 29,555
MBL/mka